REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated January 15, 2004. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

STATUS OF CLAIMS
Claims 1 - 19 are pending. Reconsideration of the present Application is respectfully requested.

Rejection of Claims 1, 4 – 7 and 10 Pursuant to 35 U.S.C. 102(e)
Claims 1, 4 – 7, and 10 stand rejected, pursuant to 35 U.S.C. 102(e), as being unpatentable over Goldberg et al. (U.S. Patent No. 6,161,082). Applicant traverses these rejections, and deems them overcome, for at least the following reasons:

Goldberg et al. fails to disclose all claim elements of independent amended Claims 1.

35 U.S.C. 102(e) recites:

> A person shall be entitled to a patent unless –
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Accordingly, MPEP 2131 states:

> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Examiner has submitted that the Gordon fails to disclose the displaying of an interpretable language classification menu on a mobile terminal. See Paper 6, page 5. Applicant respectfully submits that the present invention provides for (and amended Claim 1 claims) the

displaying of an interpretable language classification menu on a mobile terminal. See, e.g., Specification, page 9, lines 8 – 14.

King explicitly teaches that any menu displayed is a "user preference" menu of users preferences <u>at the mobile terminal </u>(*See col. 5, lines 43-47*), and is not a menu of available, selectable languages for interpretation in accordance with languages available at an <u>interpretation server</u>.

Goldberg and King thus fail to teach, among other things, displaying the interpretable language classification menu on a mobile terminal. Therefore, Goldberg cannot anticipate Claim 1 and King fails to remedy this shortcoming of Goldberg. *(See MPEP 2131)*. Consequently, Applicant traverses the 35 U.S.C. §102(e) rejection of Claim 1, deems it overcome, and respectfully requests removal of the rejection. Further, Applicant respectfully submits that each of claims 4 – 7, and 10 are allowable, at least by virtue of an ultimate dependence on allowable claim 1.

Rejection of Claims 3, 12 – 14, 16, 18 and 19 Pursuant to 35 U.S.C. 103

Claims 3, 12 – 14, 16, 18 and 19 stand rejected, pursuant to 35 U.S.C. 103, as being unpatentable over Goldberg et al (U.S. Patent No. 6,161,082) in view of Sukeda (U.S. Patent No. 5,854,997).

Applicant traverses these rejections and deems them overcome, at least in that the Official Action fails to make out a prima facia case of obviousness with respect to amended Claims 12 and 18.

35 USC §103(a) recites:

> [a] patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Accordingly, MPEP 706.02(j) states:

> To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. *Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations.* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

As stated in claims 12 and 18, the method and system of the present invention includes "a language converter that converts the inputted speech converted into the prescribed symbol string into a second language, wherein the second language is different from the first language." Applicant respectfully submits Goldberg and Sukeda fail to teach the conversion of first language into a prescribed symbol string, nor do these references teach that a prescribed symbol string may be converted into a second language.

Applicant agrees with the Examiner that Goldberg fails to teach receiving a first language and converting it into a prescribed string. Additionally, Applicant respectfully submits Sukeda merely teaches the matching of selected sentences to sentences stored in a database, and in no way teaches a conversion of a first language into a prescribed symbol string. (See Sukeda, col. 4, lines 66 – 68 and col. 5, lines 1 – 3). The present invention, in stark contrast to Goldberg and Sukeda, allows for the conversion of a first language into a prescribed symbol string, which may be correlated with a database to provide a second language. (See Specification, page 13, lines 22 – 31 and page 14 lines 1 – 3). Thus, contrary to the assertion that the matching of sentences of Sukeda is analogous to the converting of a first language into a prescribed symbol string of the present invention, the matching of Sukeda does not convert or otherwise manipulate a first language through an intermediate step of a symbol string to provide a second language as claimed in claims 12 and 18. Goldberg fails to address at least this shortcoming of Sukeda.

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Thus, neither Goldberg nor Sukeda, alone or in combination, teach at least this limitation of independent claims 12 and 18.

Applicant thus respectfully submits that independent claims 1, 12 and 18 are in condition for allowance. Further, Applicant respectfully submits that each of claims 2 – 11, 13 – 17 and 19 are allowable, at least by virtue of an ultimate dependence on allowable claims 1, 12 and 18, respectively.
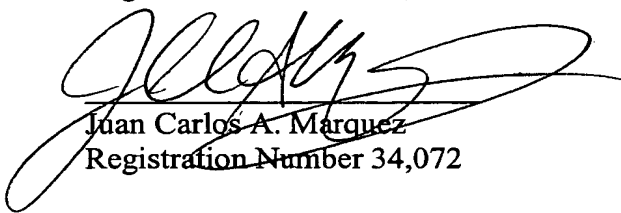
CONCLUSION

In view of the foregoing, Applicant respectfully submits that the present application is in condition for allowance. A Notice of Allowance for Claims 1 - 19 is earnestly solicited.

Should there be any questions or other outstanding issues with respect to this Application, the Applicant respectfully requests that the Examiner contact the undersigned at the number listed below.

Respectfully submitted,

_____
Stanley P. Fisher
Registration Number 24,344

Juan Carlos A. Marquez
Registration Number 34,072

REED SMITH LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, Virginia 22042
(703) 641-4200

SPF/JCM/TJW

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